

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRENTON D. AVERY,

No. C 05-00700 CW (PR)

Petitioner,

ORDER GRANTING EXTENSION OF  
TIME FOR PETITIONER TO FILE  
TRAVERSE

v.

SCOTT KERNAN, Warden,

Respondent.

Petitioner, a state prisoner, filed a pro se petition for a writ of habeas corpus. The Court directed Respondent to file an answer to the petition and granted Petitioner leave to file a traverse within thirty days after the answer was filed. Respondent has filed an answer. Petitioner filed his traverse late and was unable to meet the deadline set by this Court.

Good cause appearing, the Court GRANTS Petitioner an extension of time to file his traverse. The time in which Petitioner may file a traverse will be extended nunc pro tunc to December 14, 2007, the date that Petitioner's traverse was filed.

IT IS SO ORDERED.

Dated: 1/16/08



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

1 UNITED STATES DISTRICT COURT  
2 FOR THE  
3 NORTHERN DISTRICT OF CALIFORNIA

4 AVERY,

5 Plaintiff,

6 v.

7 KERNAN et al,

8 Defendant.

Case Number: CV05-00700 CW

**CERTIFICATE OF SERVICE**

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
10 Court, Northern District of California.

11 That on January 16, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said  
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located  
14 in the Clerk's office.

15 Brenton Duane Avery T-70275  
16 CSP Sac-New Folsom  
17 300 Prison Rd.  
18 P.O. Box 290066  
19 Represa, CA 95671

20 Kelly Michelle Croxton  
21 Deputy Attorney General  
22 455 Golden Gate Avenue, Suite 11000  
23 San Francisco, CA 94102-7004

24 Dated: January 16, 2008

25 Richard W. Wiekling, Clerk  
26 By: Sheilah Cahill, Deputy Clerk  
27  
28